

# Police Reform and Reinvention Task Force



# Suffolk County Police Reform and Reinvention Task Force

## Welcome

### **Bios and pictures still needed for the website:**

Missing pictures and bios-please forward to [bridget.foley@suffolkcountyny.gov](mailto:bridget.foley@suffolkcountyny.gov) as soon as you can

### **Public Input Session 1-1<sup>st</sup> Precinct-Town of Babylon**

- 119 registrants
- 20 speakers registered
  - ✦ 10 speakers spoke, some who were registered indicated that they did not need to speak
  - ✦ Due to the decrease of speakers we allowed for speakers from the meeting
  - ✦ An additional 5 speakers spoke and we allowed previous speakers to provide additional comment
- 15 task force members joined the session: Police Commissioner Geraldine Hart, Deputy Police Commissioner Risco Mention Lewis, Presiding Officer Robert Calarco, Legislator Tom Donnelly, Legislator Jason Richberg, Retha Fernandez, Daniel Lloyd, Daniel Russo, Roger Clayman, Kathleen King, Theresa Sanders, Lynda Perdomo Ayala, Jennifer Leveque, Co-facilitators-Vanessa Baird-Streeter, Jon Kaiman
- Chief of Police Stu Cameron was on the call
- Cristian Macario, County Executive Staff (bi-lingual) moderated the Public comment portion of the meeting
- County Executive staff-Portia Ingram and Bridget Foley monitored the chat function
- The video of the first meeting will be posted to the website by Friday, October 30
- All Task Force members will receive written transcription of the Public Input Forum by Friday, October 30
- Lessons learned
- Updated flyer in English and Spanish will be disseminated to Task Force members later today
- Next Public Input Listening Session- November 4, 2020 2<sup>nd</sup> Precinct-6:00pm

# Suffolk County Police Reform and Reinvention Task Force



## **Task Force Members request for information and providing information**

- We will continue to share requested information and information provided by task force members
- After this meeting you will receive documents that have been requested and communication that has been shared

## **Stakeholder Organizations**

- Stakeholder organizations have begun responding to our communications, providing policing areas they have prioritized and requesting meetings with staff
- When we schedule these meetings will ask task force members if they would like to attend.

## **Next Task Force Meeting-Friday, November 6, 2020-Use of Force**

- **Additional Opportunity for Task Force Members:**
- De-escalation/Force training at the Academy-11/12/2020-2 hours

# OVERVIEW



# Command Discipline Procedures

## **Command Discipline Procedure is used to:**

Document the summary of an investigation conducted at the command level relating to a minor Rules and Procedures violation, the findings and disciplinary action recommended.

OR

Document the disciplinary action taken at the command level at the direction of the Office of the Police Commissioner once an IAB investigation has concluded. (Command referral examples: counseling, re-training, or forfeiture of accrued time consisting of 5 days or less)

When a proposed command discipline is served on a member, the member can:

Accept the findings and the proposed discipline

Accept the findings but appeal the proposed discipline to the Command Discipline Review Panel

Decline to accept findings and proposed discipline and request a hearing on Charges and Specifications. Excluded from the arbitration option are circumstances where penalty sought is 5 days or less.

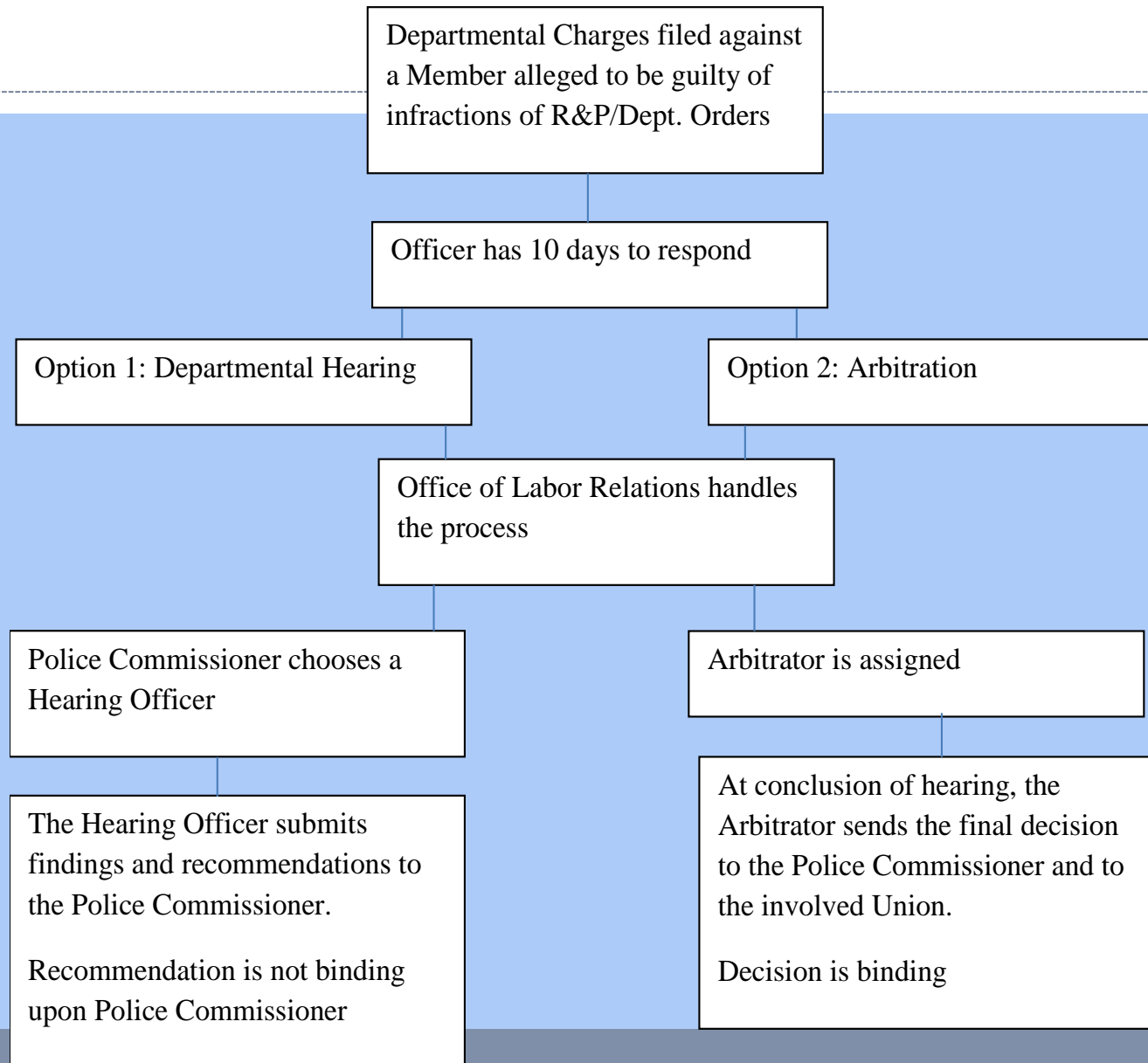
Chief of Department will convene a panel of 3 Dept. members above the rank of Captain. They have the authority to:

1. Approve the proposed disciplinary action.
2. Reduce the proposed disciplinary action to any corrective action the Commanding Officer was authorized to take or propose.
3. Increase the disciplinary action to not more than double the penalty imposed by the Commanding Officer but not more than 5 days.

The decision of the Panel is final.

Departmental Charges Procedure initiated

# Departmental Charges Procedure



# Disciplinary Options



## Stipulation and Agreement

After the drawing up of Charges and Specifications and prior to a Hearing Officer's or Arbitrator's finding, the accused member and the Department may enter into a "Stipulation and Agreement" to resolve the matter. This agreement memorializes the penalty imposed and any other terms. When negotiating a Stipulation and Agreement, the Police Commissioner can negotiate terms of continued employment of such member that cannot be imposed pursuant to a hearing or arbitration. Examples of such terms are disciplinary probation, directed drug and/or alcohol testing, required counseling, terms affecting off-duty conduct, and/or stipulated dates for severance of employment.

# Referrals



## **Allegation of Criminal Conduct**

- Upon ascertaining information that a member may have committed an offense, a referral shall be made to the District Attorney's Office, the US Attorney's Office for the Eastern District of NY, and/or the NYS Attorney General.



# Internal Affairs Bureau Response Team



- **Internal Affairs Bureau Response Team**
  - Firearms Discharge Investigation – In situations in which a confrontational discharge of a weapon occurs, or in which an accidental discharge of a weapon occurs pursuant to law enforcement action, an I.A.B. response team comprised of a Captain and two Lieutenants shall respond.
  - Arrest of a Member – In situations in which a member is arrested, an I.A.B. response team shall respond to the law enforcement agency that effected the arrest (or S.C.P.D. precinct, if S.C.P.D. effects the arrest) to gather information to apprise the Police Commissioner, and to take any action directed by the Police Commissioner.
  - Other Critical Incidents – An I.A.B. response team shall respond to investigate other critical incidents, such as an in-custody death.

# External Review



- **External Review of I.A.B. Investigations**
  - U.S. Department of Justice
  - U.S. Attorney, Eastern District of NY
  - Office of the District Attorney
  - NYS Law Enforcement Accreditation Program
  - Quarterly Reports Submitted to the Suffolk County Legislature
  - Members of the Public

# External Review



- U.S. Department of Justice (Pursuant to 2014 Agreement)
  - Reviews all investigations that involve an allegation of discriminatory policing.
  - Reviews other investigations of interest to D.O.J.
  - Reviews all audits conducted by I.A.B. regarding calls for police service from persons with limited English proficiency (to ensure members properly provided language services).

# External Review



- U.S. Attorney, Eastern District of NY
  - Investigations are reviewed by the U.S. Attorney, EDNY, when investigations by such office overlap with investigations conducted by the S.C.P.D.

# External Review



- Office of the District Attorney
  - Upon completion of an investigation, a copy of the investigation is forwarded to the Office of the District Attorney.

# External Review



- **NYS Law Enforcement Accreditation Program**
  - In order for the S.C.P.D. to maintain accreditation, NYSLEAP must review and approve the following:
    - ✦ At least four completed I.A.B. investigations concerning allegations of excessive force;
    - ✦ At least four completed I.A.B. investigations concerning other allegations of misconduct;
    - ✦ At least four completed investigations conducted by commands other than Internal Affairs Bureau;
    - ✦ At least four completed “negative personal contact” investigations;
    - ✦ At least two I.A.B. inspections/audits of Property Section (I.A.B. must conduct inspections/audits regarding invoiced firearms, controlled substances, money & high-value items);
    - ✦ At least four I.A.B. inspections of personnel & equipment; and,
    - ✦ At least two I.A.B. firearm discharge investigations.

# External Review



- Quarterly Reporting to the Suffolk County Leg.
  - At the end of each quarter, the S.C.P.D. must report the following information to the Public Safety Committee of the Suffolk County Legislature:
    - ✦ Number of misconduct complaints received during quarter, number of which are to be investigated by I.A.B., and number of which are to be investigated;
    - ✦ Sources of complaints / referrals;
    - ✦ Tally of specific allegations;
    - ✦ Demographic info of involved persons, zip codes of incident locations, complaints involving persons with mental illness, and complaints deriving from domestic incidents;
    - ✦ Number of cases completed by I.A.B., and number of cases determined to be substantiated.
    - ✦ Disciplines imposed; and,
    - ✦ Timeline of all open / pending I.A.B. investigations (in particular, investigations that have been open for more than 18 months).

# Disciplinary Records



- Freedom of Information Law Requests

Consequent to recent repeal of Civil Rights Law Section 50-a, copies of disciplinary records are now available to the public.



# Internal Affairs Report



- I.A.B. Annual Summary Reports Available on Website

Annual summary reports regarding I.A.B. investigations for 2016, 2017, 2018, and 2019 are available on the Department's website, [www.suffolkpd.org](http://www.suffolkpd.org), under "Information and Policies."



As requested by a Committee member:

Percentages of IAB investigations that result in substantiated allegation(s) of misconduct:

2020 (1<sup>st</sup> two quarters) – 21%

2019 – 11%

2018 – 24%



As requested by a Committee member (cont.):

Number of complaints received:

2020 (1<sup>st</sup> two quarters) – 93

2019 – 218

2018 - 221



- As requested by a Committee member (cont.):

- Complaints by hamlets:

- **2020** (1Q & 2Q)

- Brentwood – 5
- Huntington – 4
- Medford – 4
- Patchogue – 4
- W. Babylon – 4
- Coram – 3
- Hauppauge – 3
- Hunt. Sta. – 3

- **2019**

- Bay Shore – 27
- Shirley – 13
- Patchogue – 12
- Brentwood – 8
- W. Babylon – 8
- Huntington – 7
- Central Islip – 6
- Islandia – 6

- **2018**

- Patchogue – 15
- Shirley – 14
- Bay Shore – 13
- Central Islip – 10
- Medford – 9
- Huntington – 8
- W. Babylon – 8
- Wyandanch – 8

# Discussion



# Police Reform and Reinvention Collaborative



Geraldine Hart  
Police Commissioner